

**REMARKS**

Claims 1, 2, and 4-11 are pending in this application. By this Amendment, claims 1 and 4 are amended, and claim 3 is canceled. Support for the amendments may be found, for example, in the original claims. No new matter is added.

In view of the foregoing amendments and following remarks, reconsideration and allowance are respectfully requested.

**I. Rejections Under 35 U.S.C. §102**

**A. Inoue**

The Office Action rejects claims 1, 5, and 7-11 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,284,102 to Inoue et al. ("Inoue"). By this Amendment, claim 1 is amended to incorporate the subject matter of non-rejected claim 3, rendering the rejection moot. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

**B. Ishino**

The Office Action rejects claims 1 and 5-11 under 35 U.S.C. §102(e) as being unpatentable over U.S. Patent No. 7,185,757 to Ishino et al. ("Ishino"). The rejection is respectfully traversed.

Ishino is not available as prior art against the rejected claims. This application is a National Phase of PCT Application No. PCT/FI2005/000071, filed on February 2, 2005, and claims priority benefit of Finnish Application No. 20040166, filed February 3, 2004. Submitted herewith is, upon information and belief, an accurate English-language translation of the certified copy of Finnish Application No. 20040166. As is evident from the translation attached hereto, the pending claims are fully supported in the original application. Accordingly, the pending claims are entitled to the benefit of the February 3, 2004 filing date.

Ishino was filed on March 28, 2005 and published on March 6, 2007. As Ishino was filed and published after the February 3, 2004 effective filing date of this application, Ishino is not available as prior art against this application under 35 U.S.C. §102(a), (b), or (e). Thus, withdrawal of the rejection is respectfully requested.

## **II. Rejections Under 35 U.S.C. §103**

### **A. Inoue**

The Office Action rejects claims 2 and 3 under 35 U.S.C. §103(a) as being unpatentable over Inoue. Applicants respectfully traverse the rejection.

By this Amendment, the subject matter of claim 3 is incorporated into claim 1, and claim 3 is canceled. Claim 1 recites, "the material and/or structure of the reinforcement yarns of the outermost yarn layer are more flexible than the reinforcement yarns of the inner yarn layers." As discussed in the February 17 interview, Inoue does not disclose yarn layers that have differing flexibilities. None of the examples of Inoue discloses a structure that meets the requirement of claim 1 that "the material and/or structure of the reinforcement yarns of the outermost yarn layer are more flexible than the reinforcement yarns of the inner yarn layers."

The Office Action, on page 6, asserts that it would have been obvious to one of ordinary skill in the art to modify the belt of Inoue to adjust the number of yarns or the density of yarns in the outer and inner layers to optimize a desired bending and tensile strength. However, it is well-settled that a particular parameter must first be recognized as a result-effective variable, i.e., a variable that achieves a recognized result, before the determination of the optimum or workable ranges of the variable might be characterized as routine experimentation. See MPEP §2144.05(II)(B), citing *In re Antonie*, 559 F.2d 618 (CCPA 1977). The Office Action fails to establish that adjusting the number of yarns wound in the inner and outer layers and increasing the density of the yarn is an art-recognized result-effective variable for increasing bending and tensile strength. Certainly, Inoue does not

provide such teachings. Rejections for obviousness cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational and/or pending to support the legal conclusion of obviousness. *KSR International v. Teleflex Inc.*, 550 US 398, 418 (2007).

Furthermore, claim 1 requires that the yarns of the outermost layer, in connection with deformation of the press belt, "absorb more energy and are restored from the deformation more slowly than the yarns of the other yarn layers." The Office Action fails to address this limitation. Thus, for this additional reason, the rejection of claim 3 is *per se* improper as a matter of law.

For at least the reasons above, claim 1 as amended would not have been rendered obvious by Inoue. Claim 2 depends from claim 1 and would not have been obvious for at least the same reasons as claim 1. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

**B. Inoue And Steiner**

The Office Action rejects claim 4 under 35 U.S.C. §103(a) as being unpatentable over Inoue in view of U.S. Patent No. 6,908,532 to Steiner et al. ("Steiner"). The rejection is respectfully traversed.

Claim 4 recites that the "material and/or structure of the reinforcement yarns of the innermost yarn layer are more flexible than the reinforcement yarns of the outermost yarn layer." The Office Action, on page 7, asserts that Steiner discloses a press belt resulting in the first layer of cords (14) being less dense than the second layer of cords (16), and thus a more flexible layer of cords when the two layers of cords are made of the same material.

Applicants respectfully disagree.

Steiner focuses on the spacing between reinforcement yarns and the separation between yarn layers; it does not discuss the density or flexibility of the yarns. *See, e.g.,*

Steiner at col. 1, lines 48-67. Nothing in Steiner suggests modifying the flexibility of the reinforcement yarns or having two yarn layers with different flexibilities to improve performance.

Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

**C. Inoue And Nakanishi**

The Office Action rejects claim 6 under 35 U.S.C. §103(a) as being unpatentable over Inoue in view of U.S. Patent No. 5,259,822 to Nakanishi et al. ("Nakanishi"). The rejection is respectfully traversed.

Because claim 6 depends from claim 1, the deficiencies of the rejection of claim 1 over Inoue are equally applicable to claim 6. The Office Action provides no suggestion or basis for concluding that Nakanishi cures these above-noted deficiencies of Inoue with respect to claim 1. Thus, claim 6 is patentably distinct over the asserted combination at least because of its dependence from claim 1, as well as the additional limitations recited in claim 6.

Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

**III. Conclusion**

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the application are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachments:

Request for Continued Examination

English-Language Translation of Finnish Priority

Application No. 20040166 (with Certification of Translation)

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